

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

NICHOLAS NOSEGBE,

Defendant.

Case No. 1:24-MJ-120

UNDER SEAL

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, T. Michael Class Jr., being duly sworn, depose and state:

1. I am currently employed as a Special Agent of the Federal Bureau of Investigation (“FBI”) and have been so employed since September 17, 2017. Since January 2022, I have been assigned to the Washington Field Office (“WFO”) of the FBI, where I investigate violations of federal law that occur within the airport environment and on-board aircrafts. I am familiar with the relevant federal statutes, including under Titles 18 and 49 of the United States Code, and have conducted numerous investigations into offenses that have occurred upon an aircraft.

2. This affidavit is submitted in support of a criminal complaint and an arrest warrant for NICHOLAS NOSEGBE (“NOSEGBE”), who, within the within the special maritime and territorial jurisdiction of the United States, knowingly engaged in sexual contact with another person without that other person’s permission, in violation of Title 18, United States Code, Section 2244(b), Abusive Sexual Contact.

3. The facts set forth in this statement of probable cause are based on my personal observations, my training and experience, and information obtained from other law enforcement

officers and witnesses. This affidavit contains information necessary to support probable cause and is not intended to include each and every fact or matter observed by me or known to the United States.

SUMMARY OF FACTS TO SUPPORT PROBABLE CAUSE

5. The FBI was contacted by the victim (hereinafter V-1) on or about January 26, 2024, after she made numerous attempts to contact local law enforcement agencies to report a sexual assault that occurred during the early morning hours of December 7, 2023, while she was in-flight on Delta flight 4163, in the special aircraft jurisdiction of the United States, a direct flight from Detroit, Michigan to Dulles International Airport.

6. V-1 explained that V-1 and an adult male were seated in the fourteenth row of the plane. V-1 sat in the window seat numbered 14A; while the adult male sat in the aisle seat numbered 14B. There was no middle seat in-between them. According to flight records obtained by the FBI, NOSEGBE was the passenger assigned to seat 14B.

7. Approximately ten minutes into the flight, NOSEGBE began touching V-1's leg. NOSEGBE started by grabbing at the outside pocket of her right leg trying to pull her leg to him. V-1 tried to pull away and move closer to the window but could not get away from him and was too afraid to confront him or call for assistance from the flight attendants. After several minutes of this, NOSEGBE removed his leather jacket and placed it in his lap, part of it covering V-1's right leg. NOSEGBE then began pulling her right leg to him by grabbing her inner thigh. NOSEGBE took his leg and placed it on top of her leg. Again, V-1 attempted to pull away but was unable to get NOSEGBE to stop. This lasted for several more minutes.

8. NOSEGBE then began messaging V-1's inner thigh and her vagina outside of her clothing. V-1 continued pulling away but was unable to stop him. This lasted the majority of the

flight. V-1 also believed NOSEGBE was touching his genitals during the assault but could not confirm because the jacket was covering his lap. Towards the end of the flight, NOSEGBE attempted to grab V-1's arm and move it under his jacket and into his lap. V-1 pulled her arm away and he was unable move it. V-1 provided a description of NOSEGBE to the FBI.

7. The FBI located NOSEGBE and spoke to him. His physical characteristics were consistent with V-1's description. He acknowledged sitting next to a female passenger on the flight from Detroit to Dulles. NOSEGBE also acknowledged that he likely removed his jacket during the flight as he described himself as a "big guy." NOSEGBE stated that he often moves from his assigned seat when he is on a plane. He also said, to the extent he touched anyone on a plane, it would have been inadvertent. After the interview, the FBI showed a photo of NOSEGBE to V-1, who positively identified him as the person who sexually assaulted her.

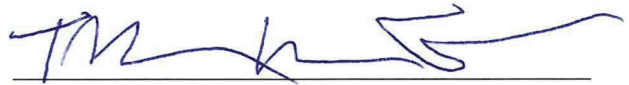
8. A review of local police calls for service in Virginia show two additional reports filed against NOSEGBE in 2023 alleging sexual abuse from a single co-worker (hereinafter V-2). Both reports allege that NOSEGBE sexually assaulted V-2 on multiple occasions by trying to kiss her and touching her breast. In one instance, V-2 alleged that NOSEGBE attempted to touch and grab V-2's leg while seated next to her in a very similar fashion as the assault which occurred on flight 4163 with V-1.

CONCLUSION

10. Based upon the foregoing, I submit there is probable cause to believe that on or about December 7, 2023, in the Eastern District of Virginia, the defendant, NOSEGBE, on an aircraft in the special aircraft jurisdiction of the United States, namely Flight DL 4163 flying from Detroit to IAD, did commit abusive sexual contact by knowingly engaging in sexual contact with

another person without that other person's permission, in violation of Title 18 United States Code, Section 2244(b).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'T. Michael Class Jr.', written over a horizontal line.

T. Michael Class Jr.
Special Agent
Federal Bureau of Investigations

Respectfully submitted and attested to in
accordance with the requirements of Fed. R.
Crim. P. 4.1 by telephone on March 29, 2024.

Lindsey R Vaala Digitally signed by Lindsey R Vaala
Date: 2024.03.29 10:47:04 -04'00'

The Honorable Lindsey R. Vaala
United States Magistrate Judge
Alexandria, Virginia